

REMARKS/ARGUMENTS

Favorable consideration and allowance of the instant application are respectfully requested. Claims 35-54 remain in this application. Claims 1-34 were previously canceled.

Preliminarily, in the event that the Examiner does not find the following argument persuasive, she is invited to contact the undersigned. As the Examiner may recall, the undersigned attempted to schedule an interview several weeks ago, but the Examiner was unavailable due to an extended vacation.

Claims 35-54 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shibata et al., Dynamic Hypertext and Knowledge Agent System for Multimedia Information Networks, ACM 1997, pp. 82-93, in view of U.S. patent no. 5,764,235 to Hunt et al. ("Hunt") and U.S. patent no. 5,557,722 to DeRose et al. ("DeRose").

The action alleges that Shibata discloses all the features of independent claim 35, but for interrogating the output device to determine a set of capabilities of the output device in response to a request for the document and using a style sheet to format a document for presentation. The action relies on Hunt to include feature of interrogating

Hunt in the Background of the Invention section recognizes the problems associated with the bandwidth constraints of a user's computer connected to the Internet. Namely, some users are connected to the Internet over a modem operating at a relatively slow data rate (14.4 or 28.8 kbits/second). As such, the time required to download a large graphical image file for some users can be unduly long. Hunt provides techniques for customizing the amount of data that is transmitted to a user to make more intelligent use of available bandwidth.

Pointing to col. 2, lines 44-52, col. 14, line 64 to col. 15, line 7 and col. 13, lines 7-20 of Hunt, the action on page 3 contends that Hunt "discloses negotiating between a server the server machine and the client machine to determine a quality-size tradeoff for the graphical image when there is a request for a graphical image from a client machine." Further, page 4 of the action alleges that "the negotiating in Hunt includes interrogating from the server to the client" (emphasis removed) citing col. 13, lines 7-20. Applicants respectfully disagree with action's interpretation of Hunt. Nowhere does Hunt teach or suggest interrogating the output device to determine a set of capabilities in response a request for the document.

According to Hunt at col. 8, lines 38-42, a client (e.g., web browser) sends a request for an image file from a server (e.g., web server) with image control data. If the server supports image customization, the server determines the image format and amount of data to be transmitted for the requested image in accordance with image control data from the client and the server's own image control data. *See* Hunt, col. 9, line 5 to col. 10, line 13.

In col. 13, lines 7-20, Hunt provides a description of author image processing, which is based on author data which is one of the two types of *server* image control data. Author data includes the author's preference for the image in the image file, which allows the author to provide input as to the quality levels for which the image may be displayed or otherwise used by a user. Hunt, col. 12, lines 61-65. From the author data, which is *server* and not client data, the server can identify the compression scheme supported by the server and the transmission performance such as transmission speed. Hunt, col. 12, line 65 to col. 13, line 3. The author can select quality levels to be supported based on the potential modem speed (e.g., 14.4, 28.8, ISDN) of client side equipment. Hunt, col. 13, lines 11-16. Hunt, The author can then set the quality level information as the author preference level, which can become part of the server image control data. Hunt, col. 13, lines 27-31. While the author preference level data can indicate output resolution and modem speed of a prospective client machine, this information is saved by an author in the server as part of the server image control information prior to receipt of any request for the document from the client.

In sum, Hunt merely describes the client sending client image control data with the request for the document, which is then processed by the server with the server image control data so that the image may be transmitted to the client as appropriate. It is the processing of the server image control data and client image control data at the server which corresponds to the negotiation identified in the Summary of the Invention section and claims of Hunt (it is nowhere discussed in the Detailed Description of the Invention section). None of these processing steps require nor even suggest that such processing or negotiation in any way involves interrogating the client device to determine a set of capabilities of the output device in response to a request for the document as recited in claim 35.

The action relies on DeRose to show using a style sheet to format a document for presentation. Notwithstanding whether DeRose shows using a style sheet to format a document, DeRose fails to overcome the deficiency of Shibata and Hunt; namely Hunt does not provide a teaching or suggestion interrogating the output device to determine a set of capabilities of the output device in response to a request for the document as recited in claim 35. As such, the combination of Shibata, Hunt and DeRose, even if proper, does not result in the claim 35 combination of features.

Independent claim 42 calls for, among other features, interrogating the output device to determine a set of capabilities of the output device in response to a request for the document; and generating a selected style sheet based upon the set of capabilities of the output device determined by interrogating the output device using the layout generator. Independent claim 48 as amended calls for, among other features, interrogating the output device to determine a set of capabilities of the output device in response to a request for the document; and based upon the set of capabilities of the output device determined by interrogating the output device, generating a style sheet. Thus, for substantially the same reasons as set forth with respect to claim 35, the combination of Shibata, Hunt and DeRose, even if proper, does not result in the invention of claims 42 and 48.

Claims 36-41, 43-47 and 49-54, which ultimately depend from claims 35, 42 and 48, respectively are patentably distinct from the combination of Shibata, Hunt and DeRose for the same reasons as their ultimate base claim and further in view of the additional advantageous features recited therein.

CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

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Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,
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